

Notice of Allowability

Application No.

09/800,328

Examiner

Christopher A. Revak

Applicant(s)

RADATTI ET AL.

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on 2/11/08.
2. ☒ The allowed claim(s) is/are 4-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>2/28/08</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>2/11/08</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Christopher A. Revak/
Primary Examiner, Art Unit 2131

NOTICE OF ALLOWANCE

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank Bonini on February 28, 2008.

The application has been amended as follows:

Claim 4. (Currently Amended) An apparatus for processing secure code transmitted through a communications channel comprising: a protocol parser; a decryption component; and, a proscribed code scanner; wherein said protocol parser intercepts secure code being transmitted through said communications channel and transfers said code to said decryption component for decryption and scanning by said proscribed code scanner, said proscribed code scanner analyzing code for parameters of the code passing through the communication ~~information that preexists in said code prior to said proscribed code scanner providing an indicator.~~

Claim 8. (Currently Amended) A method for processing altered code comprising: intercepting said code; decrypting said code; scanning said code with a proscribed code scanner for the presence of proscribed code; and, providing an indicator for the presence of said proscribed code, said proscribed code scanner analyzing code for parameters of the code passing through the communication ~~decrypting said code; scanning said code for the presence of proscribed code; and, providing an indicator for the presence of said proscribed code.~~

Claim 12. (Currently Amended) A method for processing secure code transmitted through a communications channel comprising: intercepting said code; decrypting said code; scanning said code with a proscribed code scanner for the presence of proscribed code; and, providing an indicator for the presence of said proscribed code, said proscribed code scanner analyzing code for parameters of the code passing through the communication ~~information that preexists in said code prior to said proscribed code scanner providing an indicator .~~

Claim 18. (Currently Amended) An apparatus for processing secure code transmitted through a communications channel between a client and a server comprising: a protocol parser; a decryption component; and, a proscribed code scanner; wherein said protocol parser intercepts secure code being transmitted through said communications channel and transfers said code to said decryption component for decryption and scanning by

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said proscribed code scanner, said proscribed code scanner analyzing code for parameters of the code passing through the communication ~~information that preexists in said code prior to said proscribed code scanner providing an indicator~~; wherein the protocol parser is configured for activation upon the opening of a communication channel by a request of said original client or a request of said original server, and for creating a new secure server that communicates with said original client, and a new secure client that communicates with said original server, wherein the secure client and secure server intercept communications occurring between said original client and said original server.

Terminal Disclaimer

The terminal disclaimer filed on December 26, 2007 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on February 11, 2008 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

3. Claims 4-19 are allowed.
4. The following is an examiner's statement of reasons for allowance:
5. It was not found to be taught in the prior art of intercepting code, decrypting the code and then scanning the code with a proscribed code scanner for the presence of proscribed code, and providing an indicator for the presence of said proscribed code, the proscribed code scanner analyzing code for parameters of the code passing through the communication.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher A. Revak/
Primary Examiner, Art Unit 2131